

REMARKS

Claims 8-26 are canceled. Claim 6 is amended and rewritten in independent form including all of the limitations of base claim 1. Claims 6 and 7 are pending.

The examiner indicates that claims 6 and 7 would be allowable if rewritten in independent form. By way of this amendment, claim 6 is rewritten in independent form. Claim 7 is not amended herein as it depends upon claim 6. Accordingly, allowance of claims 6 and 7 is earnestly solicited.

U.S. Patent No. 5,876,976 to Richards ("Richards") cited in the reasons for allowance of the claims is directed to a method for reducing carryover contamination in an amplification procedure by incorporation of at least one modification into the amplification product. Richards does not recite or make obvious the claimed method for effecting a homologous recombination between a double-stranded native nucleic acid segment in a cell and a donor nucleic acid segment introduced into the cell. Accordingly, claims 6 and 7 are patentable over Richards.

While applicants believe all of the previously pending claims recite novel embodiments, claims 1-5, 8-26 are canceled to expedite allowance of claims 6 and 7. Applicants reserve the right to prosecute the canceled claims in a continuation or divisional application.

In view of the above amendment, Applicants believe the pending application is in condition for allowance.

Dated: December 22, 2004

Respectfully submitted,

By Kristin E. Behrendt

Kristin E. Behrendt

Registration No.: 45,599

DARBY & DARBY P.C.

P.O. Box 5257

New York, New York 10150-5257

(212) 527-7700

(212) 753-6237 (Fax)

Attorneys/Agents For Applicant